

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

ISRAEL CANTU HERRERA

v.

DOUG DRETKE, DIRECTOR TDCJ-ID

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§

C.A. NO. C-04-532

**MEMORANDUM OPINION AND ORDER DENYING PETITION FOR
CERTIFICATE OF APPEALABILITY**

On May 4, 2005, the United States Magistrate Judge filed her Memorandum and Recommendation in this cause (D.E. 17), in which she recommended that if petitioner sought a certificate of appealability, it should be denied. Petitioner has filed a Petition for Certificate of Appealability (D.E. 27). Having reviewed *de novo* the Magistrate Judge's memorandum and recommendation and the pleadings on file, this Court hereby adopts as its own the findings and conclusions of the Magistrate Judge.

Accordingly, the Petition for Certificate of Appealability (D.E. 27) is DENIED as petitioner has not made the necessary showing for issuance.

ORDERED this 24th day of August, 2005.


HAYDEN HEAD
CHIEF JUDGE